

Reference

Milk and Milk Products

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Introduction

The *Milk and Milk Products* section covers all products derived from milk, including the following products for which examples are listed:

- ◆ Cultured milk products
- ◆ Dry milk products
- ◆ Fresh (chilled or frozen) milk products that are pasteurized and require refrigeration
- ◆ Shelf stable milk products that are heat processed to an extent that refrigeration is **not** necessary
- ◆ Other products derived from milk that **do not** logically fit into one of the above divisions

Cultured Milk Products

- ◆ Acidophilus milk
- ◆ Calpis
- ◆ Cultured buttermilk
- ◆ Cultured cream
- ◆ Crème Fraîche¹
- ◆ Lactic acid

- ◆ Ripened cream butter
- ◆ Sour cream
- ◆ Sour cream dip
- ◆ Yogurt

Dry Milk Products

- ◆ Dry buttermilk
- ◆ Dry ice cream mix
- ◆ Dry milk fractions such as:
 - ❖ Casein
 - ❖ Caseinate
 - ❖ Galactose
 - ❖ Glucose (milk sugar)
 - ❖ Lactase
 - ❖ Lactalbumin
 - ❖ Lactoglobulin
 - ❖ Lactose (milk sugar)
 - ❖ Powdered milk
- ◆ Dry whey
- ◆ Dry whole milk
- ◆ Dry yogurt—yogurt foods concentrated to a dryness that may be infused with herbs, spices, dry fruits, or cereals, also known as:
 - ❖ Jub-jub
 - ❖ Kashk
 - ❖ Kaskg
 - ❖ Kishk
 - ❖ Kurut
 - ❖ Kushuk
- ◆ Formula, infant milk

1 Crème Fraîche is prohibited entry by the Food and Drug Administration (FDA). If this product is encountered, refer the importation to U.S. Customs for referral to an FDA inspector.

- ◆ Formulations containing dry milk products such as:
 - ❖ Hot cocoa mixes
 - ❖ Instant cake mixes
 - ❖ Instant pudding mixes
 - ❖ Potato flakes
- ◆ Heated yogurt
- ◆ Lactic acid
- ◆ Nonfat dry milk
- ◆ Powdered milk
- ◆ Total milk protein

Fresh Milk Products

The following are fresh (chilled or frozen) milk products that are pasteurized and require refrigeration:

- ◆ Cream, including half-and-half and heavy cream
- ◆ Formula, milk for infants
- ◆ Ice cream
- ◆ Milk and skim milk
- ◆ Sherbet
- ◆ Whey

Canned or Packaged Shelf Stable Milk Products

Shelf stable milk products that are heat processed to an extent that refrigeration is **not** necessary include the following:

- ◆ Canned cream
- ◆ Canned milk
- ◆ Condensed milk, sweetened and unsweetened
- ◆ Evaporated milk
- ◆ Formula, milk for infants (may also be dry powder or fresh)
- ◆ Heated yogurt (may also be dry powder)
- ◆ High temperature, short time (HTST) milk
- ◆ Hot-pack cream cheese
- ◆ Hot-pack sour cream
- ◆ Lactalbumin (may also be dry powder)
- ◆ Lactulose (powder or syrup)

- ◆ Long-life milk
- ◆ Sterilized milk
- ◆ Sterilized yogurt
- ◆ Sweet cultured cream
- ◆ Sweetened milk
- ◆ Ultra high temperature (UHT) milk



Some processes that make the milk shelf stable are **not** necessarily sufficient to inactivate the FMD virus. Some processes use a combination of sugar and heat to help preserve the product, such as condensed and sweetened milk.

Other Products Derived from Milk

- ◆ Butter
- ◆ Butter oil
- ◆ Cheeses, hard
- ◆ Cheeses, soft
- ◆ Cheeses that pour like heavy cream or are packaged in a milky liquid. Such cheeses must be distinguished from cheese in brine or other liquid that is turbid, but the particles would settle out if left undisturbed (like feta cheese)
- ◆ Clotted cream
- ◆ Cream soups



Never apply 9CFR 94.11 to milk products. This CFR part restricts importations of meat and other animal products from specified **countries**. The specified countries listed under 9CFR 94.11 are free from FMD; therefore, the live animal population is considered free from FMD. Milk from a specified country requires additional certification as to origin, because such milk could be from animals that are infected with FMD. See [page 3-14-11](#) for the criteria for certification.



Disregard all dates stamped on cans or labels of milk products. These dates are only for quality control and have no application for determining admissibility.


When milk or milk products are merely transiting the United States, follow the special procedures for [Animal Products or By-Products Transiting for Export](#) on page [2-4-32](#).

When a VS permit authorizes entry of a milk product, match the following information on the shipping documents with that on the permit:

- ◆ Current date
- ◆ Description of the material
- ◆ Shipper
- ◆ Consignee
- ◆ Conditions spelled out on the permit

Follow [Table 3-14-1](#) as you match the permit with the shipping documents.








TABLE 3-14-1 Validate Importation Authorized Entry by a VS Permit

If the shipping documents:	And the:	Then:
Match the permit		RELEASE or CONTROL as stated on the permit
Do not match the permit	Permit has expired	1. DO NOT RELEASE the HOLD 2. HAVE the consignee contact VS, TTSPS Refer to page 2-4-26 3. SAFEGUARD the importation until you hear from VS, TTSPS
	Discrepancy is other than an expired permit	1. DO NOT RELEASE the HOLD 2. CONTACT PPQ-VRS-AQI or PPQ-VRS-HQ personnel for further action (see Appendix H)

Locator


When a VS permit does **not** accompany an importation of the milk or milk products, use [Table 3-14-2](#) to determine the appropriate regulatory action to take.

TABLE 3-14-2 Determine Where to Find the Regulatory Action on Milk or Milk Products Not Authorized by a VS Permit

If the milk or milk product is:	And:	Then:
Butter		RELEASE
Butter oil		
Buttons made from casein		
Candy having milk as an ingredient, including dulce de leche		
Cheese		GO to Table 3-14-4
Cultured milk products ¹		RELEASE
Lactic acid	It is pure, containing no other animal product	
	It is not pure, containing another animal product	1. DO NOT RELEASE the HOLD 2. CONTACT PPQ-VRS-AQI or PPQ-VRS-HQ personnel for further action (see Appendix H)
Lactulose	Certified as coming from a country free from FMD	RELEASE
	Not certified as coming from a country free from FMD	1. DO NOT RELEASE the HOLD 2. PROVIDE the importer with the appropriate options (see Table 2-2-11)
Liquid drink mixes which have dried milk, milk powder, or their equivalent as an ingredient (includes baby formula)		RELEASE
Shelf-stable milk product (including canned cream and sweetened and unsweetened canned, condensed milk)	Sugar is listed as an ingredient (sweetened condensed milk)	GO to Table 3-14-3
	Sugar is not listed as an ingredient	RELEASE
Milk product or a mixture that contains a milk product other than listed above	The product is of Canadian origin	
	From other than Canada	GO to Table 3-14-8




1 Cultured milk products include acidophilus milk, buttermilk, calpis, cultured cream, crème fraîche, dahi, doogh, katyk, kefir, kumiss, laban, laben, lactic acid, leben, mast, madzoon, madzoon, naja, raib, ripened cream butter, rob, roba, qurut, smetana, sour cream, sour cream dip, tiaourti, taho, yaourt, yogurt, zabady, and zabade.

TABLE 3-14-3 Regulatory Action on Sweetened, Condensed Milk

If the sweetened condensed milk is from a country or region:	And it:	Then:
Known to be affected with FMD	Is accompanied by a VS issued permit	RELEASE or CONTROL as specified on the permit
	Lacks a VS issued permit	1. DO NOT release the HOLD 2. ADVISE the importer that the importer requires a VS permit to enter 3. PROVIDE the importer with the appropriate options including how to apply for a permit (see page 2-4-25)
Not known to be affected with FMD		GO to Table 3-14-10

Cheese

TABLE 3-14-4 Regulatory Action on Cheese

If the cheese is:	And it:	And it:	Then:
Solid (hard or soft) or soft and crumbly like feta cheese	Has meat in it		GO to Table 3-14-5
	Has no meat in it		GO to Table 3-14-7
Not solid (such as cottage cheese or ricotta) nor soft and crumbly like feta cheese	Is from a country known to be affected with FMD	Is accompanied by a VS issued permit	RELEASE or CONTROL as specified on the permit
		Lacks a VS issued permit	1. DO NOT release the HOLD 2. ADVISE the importer that the importer requires a VS permit to enter 3. PROVIDE the importer with the appropriate options including how to apply for a permit (see page 2-4-25)
	Is from a country known to be free from FMD	Is accompanied by appropriate certification ¹	RELEASE
		Lacks appropriate certification	1. DO NOT release the HOLD 2. PROVIDE the importer with the appropriate options (see Table 2-2-11)
Liquid that pours like heavy cream or is packaged in a liquid ²			GO to Table 3-14-10

- 1 Milk products from a country known to be free from FMD must be accompanied by a certificate endorsed by the veterinary service of the originating country or region, stating the following:
 - ◆ The milk was produced and processed in *[name of country or region]*; or that the milk was processed in *[name of country or region]* from milk produced in *[name of country or region]*
 - ◆ The certificate must name the country or region in which the milk originated and the country or region in which the product was processed; the countries or regions listed on the certificate must be considered by the United States to be free of FMD
 - ◆ The certificate must state that the milk products have **never** been in any region where FMD exists, or meets the sealing requirements cited in 9CFR94.16(c)(1)-(3) as follows:
 - ◆ The product was sealed at origin by an authorized representative of the country
 - ◆ The seals used were serially-numbered and indicated on the accompanying official certificate
 - ◆ Upon arrival, the seals were intact and the numbers match those indicated on the official certificate
- 2 As distinguished from cheese in brine or other liquid which is turbid, but the particles would settle out if left undisturbed (like feta cheese).

Solid Cheese Containing Meat

TABLE 3-14-5 Solid Cheese Containing Meat

If the source of the meat is:	And the country of origin is known to be:	And the importation:	Then:
Ruminant	Free from BSE and FMD	Is accompanied by a certificate of origin	RELEASE
		Lacks a certificate of origin	1. DO NOT RELEASE the HOLD 2. PROVIDE the importer with the appropriate options (see Table 2-2-11)
	Affected with BSE or BSE in combination with FMD	—————→	
	Free from BSE, but infected with FMD	—————→	GO to Table 3-14-6
Swine	Free from ASF, CSF, FMD, and SVD	Is accompanied by a certificate of origin	RELEASE
		Lacks a certificate of origin	GO to Table 3-14-6
	Affected with ASF, CSF, FMD, or SVD	—————→	

Solid Cheese Containing Meat from a Country of Origin Known to Be Affected With Diseases of Concern Other Than BSE and Lacking a Certificate of Origin

Importations of cheese that contain small amounts of meat must be accompanied by a certificate of processing stating that:


“During processing, the mixture of cheese and meat reached a temperature of **not** less than 183° F (85° C) and remained at or above that temperature for at least 2 minutes.”

TABLE 3-14-6 Solid Cheese Containing Meat from a Country of Origin Known to Be Affected with Diseases of Concern Other Than BSE and Lacking a Certificate of Origin

If the importation is:	And the required statement was:	Then:
Accompanied by a certificate of processing	Present	RELEASE
	Not present	1. DO NOT RELEASE the HOLD 2. PROVIDE the importer with the appropriate options (see Table 2-2-11)
Not accompanied by the required certificate	—————→	


Solid Cheese Without Meat

TABLE 3-14-7 Solid Cheese Without Meat, Including Feta Cheese and Similar Crumbly White Cheeses

If the cheese originated in:	And the cheese is made from:	Then:
Afghanistan, Bahrain, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Oman, Pakistan, Qatar, Saudi Arabia, Syria, Turkey, United Arab Emirates, or Yemen	Goat milk or is similar to feta cheese	1. HOLD the shipment 2. CONTACTPPQ-VRS-AQI or PPQ-VRS-HQ personnel (see Appendix H); this product may have been merely frozen after initial curd formation
	Neither goat milk nor similar to feta cheese	RELEASE
A country other than one of the Middle Eastern countries listed above		

Milk Products or Mixtures Containing Milk Products

TABLE 3-14-8 Milk Products or Mixtures Containing Milk Products

If the product is a:	And the label shows that:	Then:
Mixture of animal products where one or more of the ingredients is a dairy product, e.g., cream of chicken soup, veal starter or pig starter—both of which are animal feeds	One of the ingredients is a ruminant product, including rendered products such as bone and blood meal	GO to Table 3-14-9
	One of the ingredients is a pork or poultry product, including rendered products such as bone and blood meal	GO to either Foreign Origin Meat and Meat Products, Poultry or Foreign Origin Meat and Meat Products, Swine , as appropriate
	None of the other ingredients are derived from an animal product	GO to Table 3-14-10
Uniform product: that is, one without other animal-derived ingredients		

Milk Products Containing Ruminant Derived Additives

TABLE 3-14-9 Milk Products Containing Ruminant Derived Additives

If the intended use of the product is for:	And the country of origin is known to be:	Then:
Animal feed	Affected with BSE	1. DO NOT RELEASE the HOLD 2. PROVIDE the importer with the appropriate options (see Table 2-2-11)
	Free from BSE	1. DO NOT RELEASE the HOLD 2. ADVISE the importer of the hold because the importation requires a VS permit authorizing its entry 3. PROVIDE the importer with the appropriate options including apply for a VS permit (see page 2-4-25)
Other than for animal feed	→	

Milk Products That Do Not Contain Animal Additives

Milk products from a country known to be free from FMD must be accompanied by a certificate endorsed by the veterinary service of the originating country or region stating the following:

- ◆ The milk was produced and processed in [name of country or region]; or that the milk product was processed in [name of country or region] from milk produced in [name of country or region]
- ◆ The certificate must name the country or region in which the milk originated and the country or region in which the product was processed. The countries or regions listed on the certification must be considered by the United States to be free of FMD
- ◆ The certificate must state that the milk products have **never** been in any region where FMD exists, **or** met the sealing requirements cited in 9CFR 94.16(c)(1)-(3) as follows:
 - ❖ The product was sealed at origin by an authorized representative of the country
 - ❖ The seals used were serially-numbered and indicated on the official certificate)
 - ❖ Upon arrival, the seals are intact and the numbers match those indicated on the official certificate



If the importation is break-bulk cargo, then all seals must be checked at the first port of arrival.

Continue on to [Table 3-14-10](#).

TABLE 3-14-10 Milk Products That Do Not Contain Animal Additives








If the country of origin is known to be:	And the importation is:	And:	Then:
Free from FMD	Accompanied by the appropriate certificate endorsed by the veterinary service of the originating country	<ul style="list-style-type: none"> ◆ Either has the additional certification stating that the milk products have never been in any region where FMD occurs ◆ Or meets the sealing requirements summarized previously 	RELEASE
		Lacks the additional certification or does not meet the sealing requirements	1. DO NOT RELEASE the HOLD 2. PROVIDE the importer with the following options: <ul style="list-style-type: none"> ◆ Either obtain the appropriate certification ◆ Or consign the shipment to an approved establishment
	Lacks the appropriate certificate		
Affected with FMD			GO to Table 3-14-11

TABLE 3-14-11 Milk Products That Do Not Contain Animal Additives from a Country of Origin Known to Be Affected with FMD

If the milk products are:	Then:
Dried	GO to Table 3-14-12
Cheese that pours like heavy cream or is packaged in a milky liquid	1. DO NOT RELEASE the HOLD 2. PROVIDE the importer with the appropriate options (see Table 2-2-11)
Clotted cream	
Fresh (chilled or frozen)	
Other than described above	

TABLE 3-14-12 Dried Milk Products from a Country Known to Be Affected with FMD

If the dried milk products are:	And the importation is:	And is:	Then:
Yogurt concentrated to dryness (Eyrar, Jub-jub, Kashk, Kishk, and Kurut)			RELEASE
Crystalline milk fractions: ◆ Casein ◆ Caseinate ◆ Galactose ◆ Lactalbumin ◆ Lactoglobulin ◆ Lactose (milk sugar)		Consigned to an approved establishment	AUTHORIZE shipment under seal with VS 16-78 (see Appendix K to complete form)
		Not consigned to an approved establishment	1. DO NOT RELEASE the HOLD 2. PROVIDE the importer with the appropriate options, including applying for a VS permit
Products other than described above	Prepackaged and labeled for household or institutional use such as powdered milk, chocolate drink mixes, baking mixes, and dry soup mixes free from meat Not prepackaged and labeled for direct human consumption; usually contained in bulk bags or drums		RELEASE
		Consigned to an approved establishment	AUTHORIZE shipment under seal with VS 16-78 (see Appendix K)
		Not consigned to an approved establishment	1. DO NOT RELEASE the HOLD 2. CONTACT PPQ-VRS-AQI or PPQ-VRS-HQ personnel for further action (see Appendix H)

